



General Assembly

Amendment

January Session, 2005

LCO No. **7847**

SB0105207847SD0

Offered by:

SEN. MURPHY, 16th Dist.

REP. SAYERS, 60th Dist.

To: Subst. Senate Bill No. **1052**

File No. 554

Cal. No. 412

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING MEDICAL MALPRACTICE."

1 Strike 17 in its entirety and insert the following in lieu thereof:

2 "Sec. 17. (NEW) (*Effective October 1, 2005*) Not later than January 1,
3 2006, the Department of Public Health, with the advice and assistance
4 of the Connecticut Medical Examining Board and relevant medical
5 professional associations, shall establish guidelines for use in the
6 disciplinary process. Such guidelines shall include, but need not be
7 limited to: (1) Identification of each type of violation; (2) a range of
8 penalties for each type of violation; (3) additional optional conditions
9 that may be imposed by the board for each violation; (4) identification
10 of factors the board shall consider in determining what penalty should
11 apply; (5) conditions, such as mitigating factors or other facts, that may
12 be considered in allowing deviations from the guidelines; and (6) a
13 provision that when a deviation from the guidelines occurs, the reason
14 for the deviation shall be identified. Such guidelines shall not be

15 considered regulations, as defined in section 4-166 of the general
16 statutes."

17 Strike subdivision (4) of section 20 in its entirety and insert the
18 following in lieu thereof:

19 "(4) guidelines to determine when an investigation should be
20 broadened beyond the scope of the initial complaint to include, but not
21 be limited to, sampling patient records to identify patterns of care,
22 reviewing office practices and procedures, and reviewing performance
23 and discharge data from hospitals; and"

24 Strike section 22 in its entirety and renumber the remaining sections
25 and internal references accordingly

26 Strike subdivision (16) of subsection (b) of section 23 in its entirety
27 and insert the following in lieu thereof:

28 "(16) The name of the physician's professional liability insurance
29 carrier."